

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	§	
Bryan, et al.	§	Group Art Unit: Unknown
	§	
Serial No. Divisional of 09/923,891	§	
	§	Examiner: Unknown
Filed: Herewith	§	
	§	
For: Method and Apparatus for Stereotactic	§	
Implantation	§	

INFORMATION DISCLOSURE STATEMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited references are in fact material, are in fact prior art, or that no better art exists. The cited patents are listed in numerical order and are not in any order based on their pertinence.

Pursuant to 37 CFR §1.98(d), no copies of the cited references are enclosed since the references were provided in the parent application, U.S. Serial No. 09/923,891.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,



David M. O'Dell
Registration No. 42,044

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R-61316.1

In place of PTO-1449 Form		U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	Divisional of 09/923,891
				Filing Date	herewith
				Applicant(s)	Bryan, et al.
				Art Unit	Unknown
				Examiner Name	Unknown
SHEET	1	OF	4	Attorney Docket Number	31132.175

U. S. PATENT DOCUMENTS				
Examiner's Initials	Cite No.	Document Number	Publication Date <small>MM-DD-YYYY</small>	Name of Patentee or Applicant of Cited Document
	A1	2677369	05/1954	Knowles
	A2	3486505	12/30/1969	Morrison
	A3	3875595	04/08/1975	Froning
	A4	3876728	04/08/1975	Stubstad
	A5	4023572	05/17/1977	Weigand, et al.
	A6	4116200	09/26/1978	Braun, et al.
	A7	4179810	12/25/1979	Kirsch
	A8	4309777	01/12/1982	Patil
	A9	4349921	09/21/1982	Kuntz
	A10	4599086	07/1986	Doty
	A11	4743256	05/10/1988	Brantigan
	A12	4863476	09/05/1989	Shepperd
	A13	4863477	09/05/0989	Monson
	A14	4874389	10/17/1989	Downey
	A15	4904260	02/27/1990	Ray, et al.
	A16	4904261	02/27/1990	Dove, et al.
	A17	4917704	04/17/1990	Frey, et al.
	A18	4932969	06/1990	Frey, et al.
	A19	4932975	06/12/1990	Main, et al.
	A20	4946378	08/07/1990	Hirayama, et al.
	A21	4955908	09/11/1990	Frey, et al.
	A22	4997432	03/05/1991	Keller
	A23	5002576	03/26/1991	Fuhrmann, et al.
	A24	5015247	05/14/1991	Michelson
	A25	5035716	07/30/1991	Downey
	A26	5047055	09/10/1991	Bao, et al.
	A27	5059194	10/22/1991	Michelson
	A28	5062845	11/05/1991	Kuslich, et al.
	A29	5071437	12/10/1991	Steffee
	A30	5080662	01/14/1992	Paul
	A31	5108438	04/28/1992	Stone
	A32	5122130	06/16/1992	Keller
	A33	5123926	06/23/1992	Pisharodi
	A34	5171280	12/15/1992	Baumgartner
	A35	5192326	03/1993	Bao, et al.
	A36	5234431	08/1993	Keller
	A37	5236460	08/17/1993	Barber
	A38	5246458	09/1993	Graham
	A39	5258031	11/02/1993	Salib, et al.
	A40	5261911	11/1993	Carl
	A41	5314478	05/24/1994	Oka, et al.
	A42	5320644	06/14/1994	Baumgartner
	A43	5370697	12/1994	Baumgartner
	A44	5401269	03/28/1995	BittnerJanz, et al.

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

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U. S. PATENT DOCUMENTS				
Examiner's Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A45	5458642	10/17/1995	Beer, et al.
	A46	5484437	01/16/1996	Michelson
	A47	5489307	02/06/1996	Kuslich, et al.
	A48	5507816	04/16/1996	Bullivant
	A49	5514180	05/07/1996	Heggeness, et al.
	A50	5534028	07/09/1996	Bao, et al.
	A51	5534029	07/1996	Shima
	A52	5534090	07/1996	Navarro, et al.
	A53	5545229	08/13/1996	Parsons, et al.
	A54	5549679	08/1996	Kuslich
	A55	5571189	11/1996	Kuslich
	A56	5593409	01/14/1997	Michelson
	A57	5645598	07/08/1997	Brosnahan
	A58	5662158	09/02/1997	Caldarise
	A59	5674294	10/07/1997	Bainville, et al.
	A60	5674295	10/07/1997	Ray, et al.
	A61	5674296	10/07/1997	Bryan, et al.
	A62	5676701	10/1997	Yuan, et al.
	A63	5683464	11/04/1997	Wagner, et al
	A64	5702450	12/30/1997	Bisserie
	A65	5720748	02/24/1998	Kuslich, et al.
	A66	5722977	03/03/1998	Wilhelmy
	A67	5741253	04/21/1998	Michelson
	A68	5782830	07/21/1998	Farris
	A69	5782832	07/21/1998	Larsen, et al.
	A70	5797909	08/25/1998	Michelson
	A71	5824093	10/20/1998	Ray, et al.
	A72	5824094	10/20/1998	Serhan, et al.
	A73	5865846	02/02/1999	Bryan, et al.
	A74	5865848	02/02/1999	Baker
	A75	5885300	03/23/1999	Tokuhashi, et al.
	A76	5888226	03/30/1999	Rogozinski
	A77	5928284	07/27/1999	Mehdizadeh
	A78	5947971	09/07/1999	Kuslich, et al.
	A79	5976187	11/02/1999	Richelsoph
	A80	5989291	11/23/1999	Ralph, et al.
	A81	6001130	12/14/1999	Bryan, et al.
	A82	6022376	02/08/2000	Assell
	A83	6059790	05/09/2000	Sand, et al.
	A84	6059829	05/09/2000	Schlapfer, et al.
	A85	6063121	05/16/2000	Xavier, et al.
	A86	6066174	05/23/2000	Farris
	A87	6080155	06/27/2000	Michelson
	A88	6083228	06/04/2000	Michelson

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SHEET	3	OF	4		

U. S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A89	6086595	07/11/2000	Yonemura, et al.
	A90	6096038	08/01/2000	Michelson
	A91	6139579	10/31/2000	Steffee, et al.
	A92	6156067	12/05/2000	Bryan, et al.
	A93	6162252	12/19/2000	Kuras, et al.
	A94	6179874	01/30/2001	Cauthen
	A95	6228022	05/08/2001	Friesem, et al.
	A96	6228026	05/08/2001	Rull, et al.
	A97	6231609	05/15/2001	Mehdizadeh

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document <small>(Country Code - Number - Kind)</small>	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited Document	Translation Y/N
	B1	DE 2263842	07/1974	Hoffmann-Daimler	Yes
	B2	DE 30 23 353 A1	04/09/1981	Sulzer AG	
	B3	DE 2804936	08/02/1979	Sulzer AG	
	B4	SU 895433	01/07/1982	<i>Russian Patent</i>	No
	B5	EP 0176728	04/09/1986	Buttner-Janz, et al.	No
	B6	DE 37 41 493 A1	06/22/1989	Roland Man Druckmasch	
	B7	SU 1560184	04/30/1990	<i>Russian Patent</i>	No
	B8	Roll No. G 90 00 094.3	03/14/1991	Mecron Medizinische Produkte	Yes
	B9	EP 0 560 140 A1	09/15/1993	Buttner-Janz	No
	B10	WO 00/04839	02/03/2000	Nuvasive, Inc.	
	B11	WO 00/04851	02/03/2000	Spinal Dynamics Corporation	
	B12	WO 00/13619	03/16/2000	Spinal Dynamics Corporation	
	B13	WO 00/13620	03/16/2000	Spinal Dynamics Corporation	

OTHER PRIOR ART

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published
	C1	Brain, et al., "The Neurological Manifestations of Cervical Spondylosis", Brain: A Journal of Neurology, vol. 75; Macmillan & Co.; 1952; pp. 187-225.
	C2	Buttner-Janz, et al.; "Biomechanics of the SB Charite Lumbar Intervertebral Disc Endoprosthesis"; International Orthopedics; vol. 13; 1989; pp. 173-176.
	C3	Edeland; "Some Additional Suggestions for an Intervertebral Disc Prosthesis"; Dept. of Occupational Health; Vdvo PV AB; S-40508; Goteborg; Sweden; 1985 Butterworth & Co. Publishers Ltd.
	C4	Enker et al.; "Artificial Disc Replacement"; Spine; vol. 18; No. 8; 1993; pp. 1061-1070.
	C5	Hawkins, et al.; "Shear Stability of an Elastomeric Disk Spacer Within an Intervertebral Joint: A Parametric Study"; Journal of Biomechanical Engineering Technical Briefs; vol. 114; Aug. 1992; pp. 414-415.
	C6	Hedman, et al.; "Design of an Intervertebral Disc Prosthesis"; Spine; vol. 17; No. 6; 1991; pp. S256-S260.
	C7	Hellier, et al.; "Wear Studies for Development of an Intervertebral Disc Prosthesis"; Spine; vol. 17; No. 6 Supplement; 1992; S86-S96.
	C8	Hood; "Far Lateral Lumbar Disc Herniations"; Neurosurgery Clinics of North America; vol. 4, No. 1; Jan. 1993; pp. 117-124.

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OTHER PRIOR ART		
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume- issue number(s), publisher, city/country where published
	C9	Langrana, et al.; "Finite-Element Modeling of the Synthetic Intervertebral Disc"; Spine; vol. 16; No. 6; 1991; pp. S245-S252.
	C10	Lee, et al.; "Development of a Prosthetic Intervertebral Disc"; Spine; vol. 16; No. 6; 1991; pp. S253-S255.
	C11	Lees, et al.; "Natural History & Prognosis of Cervical Spondylosis"; British Medical Journal; Dec. 28, 1963; British Medical Association, London, England; Copyright 1963; pp. 1607-1610.
	C12	Long; "Failed Back Surgery Syndrome"; Neurosurgery Clinics of North America; vol. 2, No. 4; Oct. 1991; pp. 899-919.
	C13	Ray; "The Artificial Disc-Introduction, History and Socioeconomics"; Clinical Efficacy and Outcome in the Diagnosis and Treatment of Low Back Pain; Raven Press, Ltd., NY; 1992; pp. 205-280.
	C14	Robinson, et al.; "The Results of Anterior Interbody Fusion of the Cervical Spine"; The Journal of Bone & Joint Surgery; vol. 44-A, No. 8, Dec. 1962; pp. 1569-1587.
	C15	Simeone and Rothman; "Cervical Disc Disease"; Pennsylvania Hospital & University of Pennsylvania; 1975; pp. 387-433.
	C16	Solini, et al.; "Metal Cementless Prosthesis for Vertebral Body Replacement of Metastatic Malignant Disease of the Cervical Spine"; Journal of Spinal Disorders; vol. 2; No. 4; 1989; pp. 254-262.
	C17	Taylor, Collier; "The Occurrence of Optic Neuritis in Lesions of the Spinal Cord, Injury, Tumor, Melitis"; Brain: A Journal of Neurology; vol. 24; Macmillan & Co. Ltd, 1901; pp. 532-550.
	C18	Tie-sheng, et al.; "Lumbar Intervertebral Disc Prosthesis"; Chinese Medical Journal. 104-(5); 1991; pp. 381-386.
	C19	Artificial Disc, Market Potential and Technology update, Viscogliosi Bros., LLC, February 2000, pp. 1-65.
	C20	Boning-Up, The Musculoskeletal Healthcare Industry, Industry Commentary & Review of 1999, Viscogliosi Bros., LLC., March 10, 2000, pp. 1-33.
	C21	Bryan Total Cervical Disc Prosthesis, Single Level Surgical Technique Manual, SPINAL Dynamics Corporation, 2000, 01080-004, pp. 29
	C22	Morphology of the Human Skeleton, pp. 268-270; 283-291; 315-331; 489-495.
	C23	Spine Industry Dynamics, Viscogliosi Bros., LLC., March 10, 2000, pp. 1-4.
Examiner Signature		
	Date Considered	

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